Cf 100/- 3

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 2361 /2005 (S.B.)

PETITIONER : Sanjeev Kumar Jaiswal S/o Late Shri Moolchand Jaiswal Aged about 28 Years R/o Lal Tanki Road Raigarh Th. & Distt. Raigarh (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through : Secretary,
General Administrative Department
D.K.S. Bhawan Raipur (C.G.)

2. Collector Raigarh
Collectorate Office Raigarh (C.G.)

3. Chief Executive Officer Janpad Panchayat Sarangarh (C.G.)

4. Sarpanch,
Gram Panchayat Mudpar Bade
Janpad Panchayat Sarangarh
District – Raigarh (C.G.)

P.R. No. 2171/05
Presented by Shri V.K. Pandey
dated 12-05-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2361/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-1-2006

Shri Vineet Kumar Pandey, counsel for the petitioner.

Shri Satish Gupta, Dy.G.A. for respondents no.1 and 2.

Shri Pankaj Shrivastava, counsel for respondent no.3.

Shri S.N. Nande, counsel for respondent no.4.

Heard.

It is pointed out that the petitioner's father was Assistant Teacher and while in service he died on 12/12/2001. The petitioner applied for compassionate appointment and he was granted appointment on the post of Contract Teacher for one year as per Annexure-P/2 dated 1/4/2005. It is submitted that the petitioner has not joined the said post and filed this petition on the ground that he is entitled for the post of Shiksha Karmi Grade-III.

Counsel for the State and counsel for respondent no.3 pointed out that since the posts of Shiksha Karmi were not available at that time, the appointment orders for the post of Contract Teacher were issued but subsequently the persons who joined the said post have been converted as Shiksha Karmi vide order dated 30/4/2005 (Annex.R/3/3).

Learned counsel for the respondents stated that the petitioner may join the post of Contract Teacher and if he joins his case may be considered as that of other persons and there should be no apprehension to the petitioner.

At this stage, learned counsel for the petitioner submits that the petitioner is ready and willing to join the post of Contract Teacher. The prayer is made that the petitioner may be allowed to join the said post before the respondent no.3.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

45

आदेश पत्रक

मामला क्रमांक WP 2361/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -27	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
H/-	It is also noteworthy to mention that on 10/6/2003 the policy has been framed by the State of Chhattisgarh that those persons who died after formation of the State of Chhattisgarh, the cases of their dependants for compassionate appointment will be considered in accordance with the said policy. Having considered the facts and circumstances and the material on record and in view of the policy decision dated 10/6/2003 and further in view of the statement made at the Bar, in the opinion of this Court, the petitioner is permitted to join the post of Contract Teacher before the respondent no.3 and if he joins his case may be considered and decided by the respondents. In case any grievance still remains, the petitioner may avail the remedy available at law. With the aforesaid observations, this petition stands disposed of. Consequently, I.A. No.9113/05 also stands disposed of. **Sd/-** **Fakhruddin** **Judge**	

[पीछे देखिये

24.1.06 24.1.06